REMARKS

The Examiner rejected claims 1-3 under 35 U.S.C. §102(b) as allegedly being anticipated by US Patent 5,987,415; Breese et al.

The Examiner rejected claims 4-10 under 35 U.S.C. §103(a) as allegedly being unpatentable over US Patent 5,987,415; Breese et al. As applied to claims 1-3 above, and further in view of US Patent 6,401,094 Stemp et al. Since claims 4-10 have been canceled, the rejection of claims 4-10 is moot.

Applicants respectfully traverse the §102 rejections with the following arguments.

09/932,163

9

35 U.S.C. §102

The Examiner rejected claims 1-3 under 35 U.S.C. §102(b) as allegedly being anticipated by US Patent 5,987,415; Breese et al.

Since claim 3 has been canceled, the rejection of claim 3 is moot.

Applicants respectively contend that that Breese does not anticipate claim 1, because Breese does not teach each and every feature of claim 1.

As a first example of why Breese does not anticipate claim 1, Breese does not teach the feature: "logging occurrences of events that are implicitly relevant to deducing a value of a variable of a personality type indicator associated with the user". Breese does not teach said "events" and most certainly does not teach "logging" said events. The Examiner's citation of Breese, col. 11, line 5-9 does not disclose said events and does not disclose a logging of said events. The Examiner has not provided any citation in Breese evidencing that Breese teaches the preceding feature of claim 1. In fact, the Examiner has not even alleged that Breese teaches the preceding feature of claim 1. The Examiner alleges only that Breese teaches tracking "concepts" of personality or emotions. However, "concepts" are not "events", and "tracking" is not "logging".

As a second example of why Breese does not anticipate claim 1, Breese does not teach the feature: "deducing the value of the variable of the personality type indicator from the logged occurrences of events". Since Breese does not teach the logged events, Breese does not teach deducing the value of the variable from the logged events., The Examiner's citation of Breese, col. 13, line 27-29 does not disclose a logging of said events. The Examiner has not provided

09/932,163

10

any citation in Breese evidencing that Breese teaches the preceding feature of claim 1. In fact, the Examiner has not even alleged that Breese teaches the preceding feature of claim 1. The Examiner alleges only that Breese teaches giving values to "concepts" to the "tracked concepts". However, "concepts" are not "events", and "tracking" is not "logging".

As a third example of why Breese does not anticipate claim 1, Breese does not teach the feature: "customizing a presentation of information to the user according to the value of the variable of the personality type indicator". The Examiner's citation of Breese, col. 13, line 31-33 does not disclose customizing a presentation of information, as required by claim 1. Moreover, Breese, col. 13, line 31-33 does not disclose that said customizing is according to the value of the variable of the personality type indicator, as required by claim 1. The Examiner has not provided any citation in Breese evidencing that Breese teaches the preceding feature of claim 1. In fact, the Examiner has not even alleged that Breese teaches the preceding feature of claim 1. The Examiner alleges only that Breese teaches a "customizing agent with a matching mood and personality", which is not a disclosure of "customizing a presentation of information to the user" and is not a disclosure of customizing "according to the value of the variable of the personality type indicator".

Based on the preceding arguments, Applicants respectfully maintain that Breese does not anticipate claim 1, and that claim 1 is in condition for allowance. Since claims 2 depends from claim 1, Applicants contend that claim 2 is likewise in condition for allowance.

In addition with respect to claim 2, Applicants respectfully contend that Breese does not teach the feature: "wherein the presentation of information is delivered from a server to the user

09/932,163

11

by Internet". The Examiner argues that Breese teaches the preceding feature of claim 2 in col. 4,

lines 60-61. In response, Applicants note that Breese, col. 4, lines 60-61 teaches only a

"network" which is not inherently an Internet. Moreover, Breese, col. 4, lines 60-61 does not

teach that the "network" is used in conjunction with delivering information from a server to the

user, as required by claim 2. Accordingly, Applicants respectively contend that claim 2 is not

anticipated by Breese.

09/932,163

12

CONCLUSION

Based on the preceding arguments, Applicants respectfully believe that all pending claims and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invites the Examiner to contact Applicants' representative at the telephone number listed below. The Director is hereby authorized to charge and/or credit Deposit Account No. 09-0457.

Date: 03/07/2005

Jack P. Friedman
Registration No. 44,688

Schmeiser, Olsen & Watts
3 Lear Jet Lane, Suite 201
Latham, New York 12110
(518) 220-1850

09/932,163

13